

U.S. Application Serial No.: 10/628,925
Amendment Dated November 30, 2005
In Response to Office Action Dated August 30, 2005

REMARKS

Claims 1-5 and 7-31 are in this application.

Claims 6 and 32-50 had previously been canceled.

Applicants gratefully acknowledge the allowance of claims 1-5 and 7-9, 13, and 15-31.

Claims 10-12 and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,789,819 to Gnade et al., herein after "Gnade."

Claims 10-12 and 14 distinguish over Gnade as follows:

The electrical interconnect structures according to claims 10-12 and 14 have the limitation that the low k CMP protective layer is covalently bonded to said first low k dielectric layer.

Gnade does not describe any materials that can covalently bond to form improved adhesion.

The materials listed by Gnade as the first organic dielectric material and as etch stop layer do not have the necessary chemical structure to form covalent bonds between the materials.

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Thus, the structure described by Gnade does not have a low k CMP protective layer that is **covalently bonded to the first low k dielectric layer**. Accordingly, claims 10-12 and 14 are allowable over Gnade.

Further, Gnade does not contemplate forming covalent bonds between the low k CMP protective layer, which is a spin-on low k CMP protective layer, and first low k dielectric layer materials.

To form chemical bonds with the organic dielectric layer, a reactive organic functional group is required in the inorganic layer.

The structures described by Gnade clearly do not have reactive organic functional groups in the inorganic layer.

Therefore, the structures described by Gnade are entirely different from the instantly claimed structures.

In view of the foregoing, the rejection of claims 10-12 and 14 under 35 U.S.C. 102(b) as being anticipated by Gnade should be withdrawn and claims 10-12 and 14 should be allowed.

Based on the preceeding, all currently pending claims, namely claims 1-5 and 7-31, are patentable over the cited art for at least the reasons set forth herein above.

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Accordingly, reconsideration of this application, withdrawal of the rejection of claims 10-12 and 14 under 35 U.S.C. 102(b) as being anticipated by Gnade and allowance of claims 1-5 and 7-31 is respectfully requested.

Respectfully submitted,

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